

Amendments to the Harrison County Zoning Ordinance that will be considered on June 3, 2010 at 7:30 pm in the Commissioners meeting room, 300 N. Capitol Ave, Corydon.

1. Amend Section 404.2 ACCESSORY USES as follows:

**404.02 ACCESSORY USES**

Accessory uses such as walks, driveways, curbs, retaining walls, mail boxes, name plates (not exceeding 12" x 12"), lamp posts, signs, bird baths and structures of a like nature are permitted in any required front, side or rear yard. ~~Fences, lattice-work, screens, hedges or walls not more than 7 feet high, may be located in the required side or rear yard, and a hedge, maintained not to exceed 3 feet in height may be located in any front yard; provided however, nothing contained this ordinance shall be deemed to prohibit the construction or maintenance of a fence of any height in connection with an agricultural use.~~ Trees, shrubs, flowers, or plants shall be permitted in any required front, side or rear yard. **In no case shall permitted accessory uses violate the standards specified in section 404.09 Vision Clearance.**

***NOTES: Changes to this section will delete existing fence standards and adopt vision clearance standards.***

2. Amend Section 404.00 PROVISIONS AND EXCEPTIONS TO TABLE 1a by adding new sub-sections 404.09 Vision Clearance and 404.10 Fence and Wall Standards as follows:

**404.09 Vision Clearance;**

- a) **Vision Clearance Triangle:** A vision clearance triangle shall be maintained at every street intersection.
  - 1) For the purposes of section, intersections shall include alley and driveway intersections with streets and/or highways;
  - 2) Vision clearance triangles for alley and driveway intersections may be reduced upon a determination by the County Engineer that such a reduction would not interfere with the safety of the intersection.
- b) **Vision Clearance Triangle Leg Lengths:** The vision clearance triangle leg lengths shall be as specified in the most current edition of the Policy on Geometric Design of Highways and Streets published by the American Association of State Highway and Transportation Officials. Deviation from these standards shall require written approval from the County Engineer.
- c) **Vertical Clear Area:** No primary or accessory structures, landscaping, fences, walls or signs are allowed to be placed in or to project into the vision clearance triangle between the heights of two and one-half (2.5) feet and nine (9) feet above the crown of the adjacent street.

***NOTES: This section will establish vision clearance standards designed to keep yards free of objects that prevent vehicle operators from seeing down a roadway from driveway entrances and intersections of roads.***

**403.10. Fence and Wall Standards; General**

- a) **Orientation:** Fences and walls must present the non-structural (finished) face outward towards adjacent parcels and any adjacent public right-of-way.
- b) **Vision Clearance:** Fences and walls must meet all vision clearance standards in section 404.09 Vision Clearance.
- c) **Location:**
  - 1. **Property Line:** Fences and walls shall be permitted up to the property line.
  - 2. **Easements:** No fence or wall shall be located within a public or private easement unless written permission from the easement holder has been granted.
- d) **Maximum Height:**
  - 1) Behind the front building wall of the primary structure, fences and walls shall not exceed a combined height of eight (8) feet.
  - 2) Forward of the front building wall of the primary structure, fences and walls shall not exceed three (3) feet in height.
  - 3) Where no primary structure exists on the parcel, fences and walls shall not exceed three (3) feet in height.
  - 4) **Open fences, such as chain link, woven wire, and smooth high tensil wire, may be constructed to any height.**
- e). **Exceptions:**
  - 1) Fences and walls used to screen trash receptacles, mechanical equipment, and other areas requiring screening are exempt from the height limits in Subsection 404.10(d) ; however they shall not be less than six (6) feet in height.
  - 2) Utility substation and transmission facilities, quarry and stone processing, jails, detention facilities, kennels, and prisons are exempt from the height limits in Subsection 404.10(d).
  - 3) Retaining walls are exempt from the height standards, but must be constructed in accordance with manufacturer's specifications or generally accepted engineering standards.
  - 4) Fences and walls used to screen swimming pools are exempt from the height limits in this Subsection 404.10(d), however they shall not be less than five (5) feet in height.
  - 5) Fences and walls necessary for an agricultural use are exempt from the height limits in this subsection 404.10(d).
- f) **Prohibitions:**
  - 1) The following shall be prohibited from use as a component of a fence or wall that adjoins a residential lot less than 5-acres in size:
    - a) Barbed wire;
    - b) Security wire;
    - c) Sharpened top spikes;
    - d) Electrified wires; and
    - e) Other similar elements or materials.
  - 2) Use of the prohibited components listed above is permitted as a secondary method to contain livestock and/or prisoners provided the component is at least two (2) feet inside the primary fence/wall or is no less than eight (8') feet above the ground.

***NOTES: This section adds more detailed standards for fencing. It allows additional height for rear yard fences, prohibits potentially dangerous fence materials in non-agricultural situations and maintains the height exemption for agricultural fences.***

***End of revisions.***

